

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.-84 of 2023/EZ**

IN THE MATTER OF

ABANI KUMAR SAHOO

Applicant

Versus

STATE OF ODISHA AND OTHERS

...Respondents

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PLACE: Bhubaneswar



DATE: 14/3/2024

SANKAR PRASAD PANI

ADVOCATE

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-9437279278,

Email: sankarprasadpani@gmail.com

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO 84 OF 2023/EZ

IN THE MATTER OF:

ABANI KUMAR SAHOO

APPLICANT

VERSUS

STATE OF ODISHA AND Others ... RESPONDENTS

REJOINDER AFFIDAVIT ON BEHALF OF THE APPLICANT

I, Abani Kumar Sahoo, aged about 38 years S/o Surendranath Sahoo At/Po- Jamalpur, Dist- Balasore, PS-JALESWAR, DIST BALASORE, Pin .756029 do hereby solemnly affirm, and declare as under:

1. That I am one of the applicant in the above mentioned Original Application and competent to swear this affidavit. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That the Original Application is being filed challenging the illegal mining operation in Subarnarekha River at Rayan Ramachdrapur Sand Sairat in Balasore District even after the Source is found to be in the **DLC Forest List (Plot no 2824, Khata No-1070, Area- 20.38Acres, Kism- DLC Forest Land, Mouza – Rayan Ramachannrapur)** pursuant to the Sub-Collector letter dated 24/03/2023 clarifying the mining

operation need to be stopped. As such the EC letter is no more valid **since 31/12/2022** and CTO no more valid since **31/03/2023**. Y form for transportation of sand issued on 8th July 2023 indicating illegal mining operation continuing by the lessee of Rayan Ramachandrapur. The photographs of 1st April 2023 and 26th June 2023 suggest vehicles are engaged in transportation of sand at the sand sairat during night. Rayan Ramchandrapur sand mining operation is in violation of approved mining plan, Environment Clearance Conditions, CTO Conditions, Sustainable Sand Mining Guideline 2016 and 2020, EIA Notification and Supreme Court Order and Order of Hon'ble NGT.

3. That the para 3 of the DM affidavit states **due to passage of time the river course changed and from Feb 2019 onwards till date half of the lease area got covered with grass and looks like river bank**. The mining plan was prepared based on earlier sand deposition with proposed annual production quantity of 5500CuM and accordingly EC was granted on 13/07/2017. Later the EC was amended(in fact it was transferred) on 9/03/2021 for quantity of 4283CM , This paragraph also suggests **that the lease area is no more feasible for mining** in view of change of water course and half of lease area covered with grass and sedimentation AND in the other half water flows and in-stream mining is not permitted, hence the entire lease area becomes non-viable.

4. That para 5 says the lessee has to submit annual replenishment study along with pre and post monsoon elevation data and admittedly same has not been produced before SEIAA, As such the Mining Plan was of 2017 but given effect in 2021 **when many of features have been changed.** Pending carrying out of Replenishment Study, the EC is considered as **Adhoc one and same is liable to be revoked after one year ie after 31/12/2022.** However in this case Replenishment study submitted after 31/12/2022 and amended EC was granted on 28/04/2023. Admittedly there was **NO environment clearance for the period 1/1/2022 till 28/04/2023.**
5. That the validity of Consent to Operate is subject to validity of Environment Clearance,. In para 7 it states that the CTO dated 14/02/2023 was valid till 31/03/2023 and the same para admits that **NO Consent to Operate was in force from 1/1/2023 to 14/02/2023.** Further CTO granted on 14/02/2023 also don't have force as because there was no Valid Environment Clearance from 1/01/2023 till 28/04/2023, the grant of Ammended EC.. **Hence all mining activity from 1st jan2023 till 28th April 2023 is without any valid environment clearance.**
6. That the paragraph 8 refers to plot no 2824 , **DLC Forest land** having area of 26.05 Hactre and out of this patch 8.247hactre has been leased out for Mining . the same paragraph also admits that there has been no

demarcation of the DLC forest land and only the plot no is mentioned in respect of DLC Forest. **As because there has been no subplot of plot number 2824, hence the entire plot is to be treated as DLC Forest land and any subsequent demarcation to extent of 5Hactre can not make the plot Partly non-forest.**

7. That para 9 says that quarry permits were issued up to 31/03/2023 and same falls with in the period when no Valid EC was in existence and so also the CTO.
8. Para 11 admits that the **committee could not find any Plantation** raised by the lessee and the on 2/10/2023 in the compliance report of lessee, it is stated 150 no of tree species planted at Ektali village. As per the EC condition it should be along the approach road sop as to mitigate the dust due to transportation and same has not been done. The applicant has verified no such plantation exists in Ektali village raised by the lessee and it appears for the purpose of Photograph a banner claiming plantation has been fixed somewhere..
9. That para 12 admits mining operation from 8th July 2023 till 10th July2023 which is **monsoon season and mining in prohibited during that period.**

10. Para 13 states that Mining Operation stopped from 11th July 2023 **suggesting it was continuing all through out till 11th July 2023.**

11. That para 15 states that during joint visit the quarry was waterlogged and no mining operation was there. The para also relies on google earth image which has not been annexed and as such google earth image gives picture of one or 2 days in a year and may be on that day mining was not in operation. Hence same can not be presumed no mechanical mining operation was there. As such list of vehicles seized and environment compensation realized have not been disclosed.

12. That the point no 21 of committee report states that 1st year 5500Cum, 2nd year 5500 cum and third year. It is submitted that no measurement has never been made. Hence the statement that as per the Y form issued makes no sense **as the quarry has not been measured though it is required to be measured every month.**

ILLEGAL HOARDING OF SAND BY LESSEE

13. That the Photographs of 30/08/2023 suggests huge amount of sand has been illegally stocked by the lessee which is not permitted as per the mining plan and the cumulative amount of all these sand will be more than 5000CM which beyond the

maximum permissible quantity to be extracted, Copy of Photographs dated 30/08/2023 is annexed here unto as ANNEXURE-1

HABITUAL VIOLATOR OF LEASE AND EC CONDITION

14. That the lessee is a habitual violator of lease and environment clearance condition. For the same the lessee has been penalised many times and the applicant has evidences of at least three instances for using excavators and stocking of sand in 2022 and 2023. Copy of Touzi Misc case and demand Notices issued by Tahasildar Jaleswar on lessee is Annexed here with as ANNEXURE-2

FILING FALSE CASE TO INTIMIDATE THE APPLICANT AND PEOPLE WHO OPPOSE ILLEGAL MINING OF LESSEE

15. The lessee in collusion with the local police and Tahasildar has fled few false cases against the applicant which he is facing in court of law and the appropriate court is seized of those matters. As such the applicant has never been involved in any kind of illegal mining and he has to pay the cost for opposing the illegal mining in the garb of lease agreement. One such case registered is found to be false for which there was Final Form of the FIR No 390 of 2023 has been closed pursuant to to inquiry by the

police. Copy of Final Form dated 19/11/2023 is annexed here with as
ANNEXURE-3

16. Order relating to dispute of Tender Notice is presented as the illegalities in mining operation are protected by the order of Honble Orissa Highcourt is grossly Misleading the Honble Tribunal.
17. The Sand mining source **Rayan Ramchandrapur is not in the list of District Survey Report** there by can not be allowed for mining operation as because the DSR is the foundation of Sand Mining and if any source is not in the list can not be put to mining operation. The original DSR was challenged in OA 63 of 2020 where in the DM Balasore was asked to place the new DSR report before SEIAA for review by the SEAC. Then after the revised DSR is challenged in Appeal No 18 of 2023 which is still pending.
18. The Appeal No 3 of 2021 is about the challenge to the Environment Clearance for not conducting Public Hearing and that appeal had nothing to do with the issues raised in the present Original Application.
19. In last three years from grant of EC only one Compliance report filed after the Original application filed when the EC condition requires every six month report is to be filed and accordingly the lessee is a **defaulter of at least 5 Half Yearly Compliance report**

- 20. Violation of EC condition No 7 as the lessee use to extract sand from the water portion of the lease area and not the drypit one.**
- 21. As per mining plan the depth should not be more than 0.5metre however because use of excavator, the dept was beyond 6metres in violation of condition no 28 that restricts mining with manual mode engaging local labors.**
- 22. In view of the aforementioned paras with specific reference to the issues such as the change of river course there by the lease area lost its feasibility, DLC forest status, Sand source not in the new DSR, mining operation during monsoon and night, use of excavators, operation of quarry without CTO, the applicant prays that the lease area may be closed and a new site may be explored where there is sand deposition.**

APPLICANT THROUGH



ADVOCATE



Sl. No. 405
Vol. No. 1 Dt. 11.3.24

SWADHA DEVI BHANJA
Notary Jaleswar
Odisha, India

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLIACATION NO-.....84..... OF 2023/EZ**

IN THE MATTER OF:

ABANI KUMAR SAHOO

APPLICANT

VERUS

STATE OF ODISHA AND Others....

RESPONDENTS

AFFIDAVIT

I, Abani Kumar Sahoo, aged about 38 years S/o-Surendranath Sahoo At/Po-Jamalpur, Dist-Balasore, PS-JALESWAR, DIST-BALASORE, Pin-756029 do hereby solemnly affirm, and declare as under:

1. That, I am one of the applicant in the above mentioned Original Application and competent to swear this affidavit.
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That, I have read over the contents of the accompanying Original application and the same is true and correct and is drafted on my instruction.

Abani Kumar Sahoo
DEPONENT

VERIFICATION

Verified on this 11th day of March 2024 at (Place) Jaleswar.....
that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By

Advocate

Abani Kumar Sahoo
VERIFICANT

SWADHA DEVI BHANJA
Notary Jaleswar
Odisha, India



Solemnly Sworn before me
 by Abani Kumar Sahoo
 being identified by Mr.
Sushanta Kumar Das Adv
 on dt. 11.3.24 at 12-10 PM

11.3.24

Swadha Devi Bhanja
 Notary, Jaleswar, Odisha

Abani Kumar Sahoo *leg*
M. S. Sahoo

ANNEXURE-1

**ILLEGAL SAND STOCK/DEPOT BY THE LESSEE
DURING MONSOON SEASON DATED 30/08/2023,**







ଶେକ୍ତି ବବଧ ମାମଲା ନଂ ୧୮୭୧୨୨୧୩

ANNEXURE 2 SERIES

ତହସିଲଦାରଙ୍କ କାର୍ଯ୍ୟାଳୟ, ଜଳେଶ୍ୱର

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- ✓ ଅସିତ କୁମାର ପରିଡ଼ା
- ପିତା- ଉମାକାନ୍ତ ପରିଡ଼ା
- ଗ୍ରାମ- ସାନରାଉତପଡ଼ା
- ପୋ- ଜମାଳପୁର
- ଥାନା- ଜଳେଶ୍ୱର
- ଜିଲ୍ଲା- ବାଲେଶ୍ୱର

ଏତଦ୍ୱାରା ଆପଣଙ୍କୁ ଜଣାଇ ଦିଆଯାଉଅଛି କି, ୨୦୨୨-୨୩ ମସିହାର ଉପରୋକ୍ତ ଚୌଜି କେଶ ମୂଲ୍ୟ ଆପଣଙ୍କ ବିରୁଦ୍ଧରେ ହୋଇଥିବା ଜମା ଓ ଜୋରିମାନା ଆପଣ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ଠାରେ ଅଦାବତ୍ ପଠାଇ କରି ନାହାନ୍ତି । ଉକ୍ତ ବକେୟା ରାଶିର ସବିଶେଷ ହିସାବ ନିମ୍ନରେ ପ୍ରଦାନ କରାଗଲା ।

୨୦୨୨-୨୩ ଆର୍ଥିକ ବର୍ଷର ମୋଟ ଜମା ଓ ଜୋରିମାନା ବାବଦକୁ- ୪,୯୨,୦୦୦.୦୦

ସୁଧ ୨୦୨୩-୨୪ ଆର୍ଥିକ ବର୍ଷ ପାଇଁ (୨୪%) - ୧,୧୮,୦୮୦.୦୦

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ସର୍ବମୋଟ ଟ. ୬,୧୦,୦୮୦.୦୦ (ଛଅ ଲକ୍ଷ ଦଶ ହଜାର ଅଶୀ ଟଙ୍କା) ମାତ୍ର ବକେୟା ରାଶି ।

ଏଣୁ ଆପଣ ଉକ୍ତ ନୋଟିସ ପ୍ରାପ୍ତିର ୧୫ (ପନ୍ଦର) ଦିନ ମଧ୍ୟରେ ଉପର ବର୍ଣ୍ଣିତ ମୋଟ ବକେୟା ରାଶି ଟ. ୬,୧୦,୦୮୦.୦୦ (ଛଅ ଲକ୍ଷ ଦଶ ହଜାର ଅଶୀ ଟଙ୍କା) ମାତ୍ର ନିମ୍ନସ୍ୱାକ୍ଷରକାରୀଙ୍କ ଠାରେ ଦାଖଲ କରିବେ । ଅନ୍ୟଥା ଆଇନ ଅନୁସାରେ ଆପଣଙ୍କ ବିରୁଦ୍ଧରେ ବିହିତ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରାଯିବ ।

[Signature]
ତହସିଲଦାର, ଜଳେଶ୍ୱର.

TAHASILDAR
JALESWAR

ପରିପତ୍ର ସଂଖ୍ୟା. ୪୯୩୯

ତାରିଖ. ୧୭/୦୮/୨୩

ଏହାର ଏକକିତା ନକଲ ସମ୍ପୂର୍ଣ୍ଣ ରାଜସ୍ୱ ନିରୀକ୍ଷକ ଜମାଳପୁରଙ୍କ ଅବଗତି ନିମନ୍ତେ ପ୍ରେରଣ ପୂର୍ବକ ଉପରୋକ୍ତ ସରକାରୀ ବକେୟା ରାଶି ଆଦାୟ ନିମନ୍ତେ ବିହିତ ପଦକ୍ଷେପ ନେବା ପାଇଁ ନିର୍ଦ୍ଦେଶ ଦିଆଗଲା ।

[Signature]
ତହସିଲଦାର, ଜଳେଶ୍ୱର.



ଡିଭିଜନ ବ୍ୟବସାୟ ସଂଖ୍ୟା. ୧୮୭ / ୨୦୨୨-୨୩
ଡିଭିଜନ ବ୍ୟବସାୟ କାର୍ଯ୍ୟାଳୟ, ଜଳେଶ୍ୱର

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ପ୍ରାପ୍ତେଷୁ

- ✓ ଅସିତ କୁମାର ପରିଡ଼ା
- ପିତା- ଉମାକାନ୍ତ ପରିଡ଼ା
- ଗ୍ରାମ- ସାନରାଉତପଡ଼ା
- ପୋ- ଜମାଲପୁର
- ଥାନା- ଜଳେଶ୍ୱର
- ଜିଲ୍ଲା- ବାଲେଶ୍ୱର

AMINPURC= 13SERIE

ଏତଦ୍ୱାରା ଆପଣଙ୍କୁ ଜଣାଇ ଦିଆଯାଉଅଛି କି, ୨୦୨୨-୨୩ ମସିହାର ଉପରୋକ୍ତ ଡିଭିଜନ କେଶ ମୂଲ୍ୟ ଆପଣଙ୍କ ବିରୁଦ୍ଧରେ ହୋଇଥିବା ଜମା ଓ ଜୋରିମାନା ଆପଣ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ଠାରେ ଅଦାବତ୍ ପଠାଇ କରି ନାହାନ୍ତି । ଉକ୍ତ ବକେୟା ରାଶିର ସବିଶେଷ ହିସାବ ନିମ୍ନରେ ପ୍ରଦାନ କରାଗଲା ।

୨୦୨୨-୨୩ ଆର୍ଥିକ ବର୍ଷର ମୋଟ ଜମା ଓ ଜୋରିମାନା ବାବଦକୁ- ୧,୩୦,୦୦୦.୦୦

ସୁଧ ୨୦୨୩-୨୪ ଆର୍ଥିକ ବର୍ଷ ପାଇଁ (୨୪%) - ୩୧,୨୦୦.୦୦

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ସର୍ବମୋଟ ଟ. ୧,୬୧,୨୦୦.୦୦ଟଙ୍କା (ଏକ ଲକ୍ଷ ଏକଷଠି ହଜାର ଦୁଇଶହ ଟଙ୍କା) ମାତ୍ର ବକେୟା ରାଶି ।

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[Signature]
ଡିଭିଜନ ବ୍ୟବସାୟ, ଜଳେଶ୍ୱର.

ପରିପତ୍ର ସଂଖ୍ୟା. *[Signature]* ତାରିଖ. ୧୭ / ୦୯ / ୨୩

ଏହାର ଏକକିତା ନକଲ ସମ୍ପୂର୍ଣ୍ଣ ରାଜସ୍ୱ ନିରୀକ୍ଷକ ଜମାଲପୁରଙ୍କ ଅବଗତି ନିମନ୍ତେ ପ୍ରେରଣ ପୂର୍ବକ ଉପରୋକ୍ତ ସରକାରୀ ବକେୟା ରାଶି ଆଦାୟ ନିମନ୍ତେ ବିହିତ ପଦକ୍ଷେପ ନେବା ପାଇଁ ନିର୍ଦ୍ଦେଶ ଦିଆଗଲା ।

[Signature]
ଡିଭିଜନ ବ୍ୟବସାୟ, ଜଳେଶ୍ୱର.



ଡେପୁଟି ବିବିଧ ମାମଲା ସଂଖ୍ୟା. ୧୯୦ /୨୦୨୨-୨୩

ଡିପୁଟି ମାମଲା କାର୍ଯ୍ୟାଳୟ, ଜଳେଶ୍ୱର

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ପ୍ରାପ୍ତସ୍ତୁ

- ✓ ଅସିତ କୁମାର ପରିଡ଼ା
- ପିତା- ଉମାକାନ୍ତ ପରିଡ଼ା
- ଗ୍ରାମ- ସାନରାଉତପଡ଼ା
- ପୋ- ଜମାଳପୁର
- ଥାନା- ଜଳେଶ୍ୱର
- ଜିଲ୍ଲା- ବାଲେଶ୍ୱର

AMINURE-13

ଏତଦ୍ୱାରା ଆପଣଙ୍କୁ ଜଣାଇ ଦିଆଯାଉଅଛି କି, ୨୦୨୨-୨୩ ମସିହାର ଉପରୋକ୍ତ ଡେପୁଟି କେଶ ମୂଲ୍ୟ ଆପଣଙ୍କ ବିରୁଦ୍ଧରେ ହୋଇଥିବା ଜମା ଓ ଜୋରିମାନା ଆପଣ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ଠାରେ ଅବ୍ୟାବଧି ପଠାଇ କରାଯାଇଛି । ଉକ୍ତ ବକେୟା ରାଶିର ସର୍ବଶେଷ ହିସାବ ନିମ୍ନରେ ପ୍ରଦାନ କରାଗଲା ।

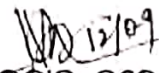
୨୦୨୨-୨୩ ଆର୍ଥିକ ବର୍ଷର ମୋଟ ଜମା ଓ ଜୋରିମାନା ବାବଦକୁ- ୧,୩୫,୦୦୦.୦୦

ସୁଧ ୨୦୨୩-୨୪ ଆର୍ଥିକ ବର୍ଷ ପାଇଁ (୨୪%) - ୩୨,୪୦୦.୦୦

୨୨୬
x1

ସର୍ବମୋଟ ଟ. ୧,୬୭,୪୦୦.୦୦ (ଏକ ଲକ୍ଷ ସତ୍ତଷଠି ହଜାର ଚାରିଶହ ଟଙ୍କା) ମାତ୍ର ବକେୟା ରାଶି ।

ଏଣୁ ଆପଣ ଉକ୍ତ ନୋଟିସ ପ୍ରାପ୍ତିର ୧୫ (ପନ୍ଦର) ଦିନ ମଧ୍ୟରେ ଉପର ବର୍ଣ୍ଣିତ ମୋଟ ବକେୟା ରାଶି ଟ. ୧,୬୭,୪୦୦.୦୦ (ଏକ ଲକ୍ଷ ସତ୍ତଷଠି ହଜାର ଚାରିଶହ ଟଙ୍କା) ମାତ୍ର ନିମ୍ନସ୍ୱାକ୍ଷରକାରୀଙ୍କ ଠାରେ ଦାଖଲ କରିବେ । ଅନ୍ୟଥା ଆଇନ ଅନୁସାରେ ଆପଣଙ୍କ ବିରୁଦ୍ଧରେ ବିହିତ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରାଯିବ ।

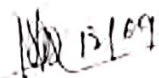

ଡିପୁଟି ମାମଲା, ଜଳେଶ୍ୱର.

TAHÁSIL.DAR
JALESWAR

ପରିପତ୍ର ସଂଖ୍ୟା. ୪୯୩୮

ତାରିଖ. ୧୭/୦୯/୨୩

ଏହାର ଏକକିତା ନକଲ ସମ୍ପୂର୍ଣ୍ଣ ରାଜସ୍ୱ ନିରୀକ୍ଷକ ଜମାଳପୁରଙ୍କ ଅବଗତ ନିମନ୍ତେ ପ୍ରେରଣ ପୂର୍ବକ ଉପରୋକ୍ତ ସରକାରୀ ବକେୟା ରାଶି ଆଦାୟ ନିମନ୍ତେ ବିହିତ ପଦକ୍ଷେପ ନେବା ପାଇଁ ନିର୍ଦ୍ଦେଶ ଦିଆଗଲା ।


ଡିପୁଟି ମାମଲା, ଜଳେଶ୍ୱର.



ଚୌଜି ବିବିଧ ମାମଲା ସଂଖ୍ୟା. ୧୮୯ /୨୦୨୨-୨୩

ତହସିଲଦାରଙ୍କ କାର୍ଯ୍ୟାଳୟ, ଜଳେଶ୍ୱର

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Annexure 13
Sun

ପ୍ରାପ୍ତେଷୁ

- ✓ ଅସିତ କୁମାର ପରିଡ଼ା
- ପିତା- ଉମାକାନ୍ତ ପରିଡ଼ା
- ଗ୍ରାମ- ସାନରାଉତପଡ଼ା
- ଘୋ- ଜମାଳପୁର
- ଥାନା- ଜଳେଶ୍ୱର
- ଜିଲ୍ଲା- ବାଲେଶ୍ୱର

ଏତଦ୍ୱାରା ଆପଣଙ୍କୁ ଜଣାଇ ଦିଆଯାଉଅଛି କି, ୨୦୨୨-୨୩ ମସିହାର ଉପରୋକ୍ତ ଚୌଜି କେଶ ମୂଲ୍ୟ ଆପଣଙ୍କ ବିରୁଦ୍ଧରେ ହୋଇଥିବା ଜମା ଓ ଜୋରିମାନା ଆପଣ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ଠାରେ ଅଦାଲତ ପଠାଇ କରି ନାହାନ୍ତି । ଉକ୍ତ ବକେୟା ରାଶିର ସବିଶେଷ ହିସାବ ନିମ୍ନରେ ପ୍ରଦାନ କରାଗଲା ।

୨୦୨୨-୨୩ ଆର୍ଥିକ ବର୍ଷର ମୋଟ ଜମା ଓ ଜୋରିମାନା ବାବଦକୁ- ୨,୨୦,୦୦୦.୦୦

ସୁଧ ୨୦୨୩-୨୪ ଆର୍ଥିକ ବର୍ଷ ପାଇଁ (୨୪%) - ୫୨,୮୦୦.୦୦

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ସର୍ବମୋଟ ଟ. ୨,୭୨,୮୦୦.୦୦ (ଦୁଇ ଲକ୍ଷ ବାସ୍ତର ହଜାର ଆଠଶହ ଟଙ୍କା) ମାତ୍ର ବକେୟା ରାଶି ।

ଏଣୁ ଆପଣ ଉକ୍ତ ନୋଟିସ ପ୍ରାପ୍ତିର ୧୫ (ପନ୍ଦର) ଦିନ ମଧ୍ୟରେ ଉପର ବର୍ଣ୍ଣିତ ମୋଟ ବକେୟା ରାଶି ଟ. ୨,୭୨,୮୦୦.୦୦ (ଦୁଇ ଲକ୍ଷ ବାସ୍ତର ହଜାର ଆଠଶହ ଟଙ୍କା) ମାତ୍ର ନିମ୍ନସ୍ୱାକ୍ଷରକାରୀଙ୍କ ଠାରେ ଦାଖଲ କରିବେ । ଅନ୍ୟଥା ଆଇନ ଅନୁସାରେ ଆପଣଙ୍କ ବିରୁଦ୍ଧରେ ବିହିତ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରାଯିବ ।

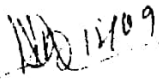

ତହସିଲଦାର, ଜଳେଶ୍ୱର.

TAHASILDAR
JALESWAR

ପରିପତ୍ର ସଂଖ୍ୟା. ୪୯୩୭

ତାରିଖ. ୧୨/୦୮/୨୩

ଏହାର ଏକକିତା ନକଲ ସମ୍ପୂର୍ଣ୍ଣ ରାଜସ୍ୱ ନିରୀକ୍ଷକ ଜମାଳପୁରଙ୍କ ଅବଗତି ନିମନ୍ତେ ପ୍ରେରଣ ପୂର୍ବକ ଉପରୋକ୍ତ ସରକାରୀ ବକେୟା ରାଶି ଆଦାୟ ନିମନ୍ତେ ବିହିତ ପଦକ୍ଷେପ ନେବା ପାଇଁ ନିର୍ଦ୍ଦେଶ ଦିଆଗଲା ।


ତହସିଲଦାର, ଜଳେଶ୍ୱର.

ENGLISH TRANSLATION OF DEMAND NOTICES ANNEXURE-2SERI
ES

Touzi Case no- 189/2022-23

OFFICE OF THE TAHASILDAR, JALESWAR

To

Asit Kumar Parida

Father- Umakant Parida

Village – Sanarauta Pada

Po- Jamalpur

PS- Jaleswar

District- Balasore

You are hereby informed that the deposit and penalty levied against you for the year 2022-23 as mentioned above in the Touzi case has not been remitted to the undersigned. The detailed calculation of the said outstanding amount is given below.

Total deposits and fines for the financial year 2022-23-2,20,000.00

Interest for the financial year 2023-24 (24%) – 52,800.00

Total 2,72,800.00 (Two Lakh Seventy Two Thousand Eight Hundred Rupees) is the outstanding amount.

Therefore, within 15 (fifteen) days of receipt of the said notice, you shall pay the above-mentioned total outstanding amount of Rs. 2,72,800.00 (Two Lakh Seventy Two Thousand Eight Hundred Rupees) only to be submitted to the undersigned. Otherwise, legal action will be taken against you.

Letter No- 4937

Date-12/09/2023

A copy thereof is sent to the concerned Revenue Inspector, Jamalpur, and directed to take necessary steps for recovery of the aforesaid Government dues.

OFFICE OF THE TAHASILDAR, JALESWAR

To

Asit Kumar Parida

Father- Umakant Parida

Village – Sanarauta Pada

Po- Jamalpur

PS- Jaleswar

District- Balasore

You are hereby informed that the deposit and penalty levied against you for the year 2022-23 as mentioned above in the Touzi case has not been remitted to the undersigned. The detailed calculation of the said outstanding amount is given below.

Total deposits and fines for the financial year 2022-23 - 1,35,000.00

Interest for the financial year 2023-24 (24%) – 32,400.00

Total 1,67,400.00 (One Lakh Sixty Seven Thousand Four Hundred Rupees) is the outstanding amount.

Therefore, within 15 (fifteen) days of receipt of the said notice, you shall pay the above-mentioned total outstanding amount of Rs. 1,67,400.00 (One Lakh Sixty Seven Thousand Four Hundred Rupees) only to be submitted to the undersigned. Otherwise, legal action will be taken against you.

Letter No- 4938

Date-12/09/2023

A copy thereof is sent to the concerned Revenue Inspector, Jamalpur, and directed to take necessary steps for recovery of the aforesaid Government dues.

OFFICE OF THE TAHASILDAR, JALESWAR

To

Asit Kumar Parida

Father- Umakant Parida

Village – Sanarauta Pada

Po- Jamalpur

PS- Jaleswar

District- Balasore

You are hereby informed that the deposit and penalty levied against you for the year 2022-23 as mentioned above in the Touzi case has not been remitted to the undersigned. The detailed calculation of the said outstanding amount is given below.

Total deposits and fines for the financial year 2022-23 - 1,30,000.00

Interest for the financial year 2023-24 (24%) – 31,200,000

Total 1,61,200.00 (One Lakh Sixty One Thousand Two Hundred Rupees) is the outstanding amount.

Therefore, within 15 (fifteen) days of receipt of the said notice, you shall pay the above-mentioned total outstanding amount of Rs. 1,61,200.00 (One Lakh One Sixty Thousand Two Hundred Rupees) only to be submitted to the undersigned. Otherwise, legal action will be taken against you.

Letter No- 4935

Date-12/09/2023

A copy thereof is sent to the concerned Revenue Inspector, Jamalpur, and directed to take necessary steps for recovery of the aforesaid Government dues.

N.C.R.B (एन.सी.आर.वी)
I.I.F.-V (एकीकृत जाँच फार्म -V)

FINAL FORM/ REPORT

(अंतिम फार्म/रिपोर्ट)

(Under Section 173 Cr.P.C.)
(दण्ड प्रक्रिया संहिता धारा 173 के अन्तर्गत)

IN THE COURT OF : JMFC JALESWAR (के न्यायालय में)

1. District (जिला): BALASORE

P.S. (थाना): JAL ESWAR

Year (वर्ष): 2023

FIR No.(प्र.सू.रि.स.): 0390

Date(दिनांक): 28/08/2023

2. Final Report / Charge Sheet No.(अंतिम रिपोर्ट/आरोप पत्र सख्या.): 01 453

3. Date (दिनांक): 19/11/2023

4. S.No.(क्र.)	Acts(अधिनियम)	Sections(धाराएँ)
1	IPC 1860	379
2	IPC 1860	294
3	IPC 1860	506
4	IPC 1860	34

5. Type of Final Form/Report(अंतिम फार्म/रिपोर्ट का प्रकार): FINAL REPORT

6. If FR Unoccurred(यदि अंतिम रिपोर्ट अचटित): FALSE

7. If Charge sheet(यदि आरोप पत्र दाखिल किया): Original

8. Name of I.O. at the time of charge sheet(आरोप पत्र दाखिल करते समय जाँच अधिकारी का नाम): NIGAMANANDA

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No. (स.): 72145

9. (a) (क) Name of complainant / informant (शिकायतकर्ता/इतिला देने वाले का नाम):

Asit Kumar Parida

(b) (ख) Father 's Name (पिता का नाम): Lt. Umakanta Parida

10. Details of Properties/Articles/Documents recovered/seized during investigation and relied upon:

(जाँच के दौरान बरामद/जब्त सम्पत्ति/वस्तु/दस्तावेज का विवरण जिन्हे आधार बनाया गया हो):

S.No	Property Description	Estimated Value (in Rs.)	Police Station Property Register No.	From whom/ where revered or seized	Disposal
(क्र. सं.)	(सम्पत्ति का विवरण)	(अनुमानित मूल्य (रु.में))	(थाना सम्पत्ति रजिस्टर सं.)	(कहाँ/किससे जब्त अथवा बरामद की गई)	(निराकरण)

11. Particulars of accused persons charge-sheeted(आरोप पत्र दाखिल अभियुक्तों का विवरण):

12. Particulars of accused persons - not charge sheeted(suspect) (आरोप पत्र दाखिल न किए गए(संदिग्ध)अभियुक्तों)

N.C.R.B (एन.सा.आर.बी)
I.I.F.-V (एकीकृत जाँच फार्म -V)

2	Ashok Kumar Parida	Father: Lt. Umakanta Parida		BALASORE, ODISHA,INDIA Present Address: Sanaroutpada , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Sanaroutpada , JALESWAR, BALASORE, ODISHA,INDIA	Investigation Witness
3	Bishnup ada Patra	Father: Lt. Bhagiratha Patra		Present Address: Jamalpur , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Jamalpur , JALESWAR, BALASORE, ODISHA,INDIA	Investigation Witness
4	Badal Rout	Father: Sankar Rout	1979	Present Address: Rayanramchandr apur , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Rayanramchandr apur , JALESWAR, BALASORE, ODISHA,INDIA	Investigation Witness
5	Janmaja y Rout	Father: Badal Rout	1978	Present Address: Rayanramchandr apur , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Rayanramchandr apur , JALESWAR,	Investigation Witness

6	Arun Nandi	Father: Ganesh Nandi	1968	BALASORE, ODISHA,INDIA Present Address: Chaubani , JALESWAR, BALASORE, ODISHA,INDIA Permanent Address: Chaubani , JALESWAR, BALASORE, ODISHA,INDIA	Investigation Witness
7	NIGAM ANAND A MOHAL IK		03/07/1975	Present Address: charampa, BHADRAK RURAL, BHADRAK, ODISHA,INDIA Permanent Address: charampa, JALESWAR, BALASORE, ODISHA,INDIA	IO

14. If FR is false (F.R. false), indicate action taken or proposed to be taken u/s 182/211 I.P.C.:

(यदि अन्तिम रिपोर्ट झूठी है तो भा.द.सं. की धारा 182/211 के अन्तर्गत की गई अथवा प्रस्तावित कार्रवाई का विवरण):

U/S 211 IPC Submitted

15. Result of Laboratory analysis (प्रयोगशाला में किए गए विश्लेषण का परिणाम):

16. Brief facts of the case (मामले से संबंधित संक्षिप्त तथ्य):

On 28.08.2023 at 10.45 A.M received letter from Tahasildar Jaleswar Vnae memo No. 4572, Dtd 25.08.2023 enclosing the written report of complt ASIt Kumar Parida (40) S/o Lt. Umakanta Parida of Sanaroutpada, PS- Jaleswar, Dist-Balasore in which the complt. alleged that he is the lease holder of Sand Quarry (Balikhadan) from 2020 to 2025-26 vide mouza Kairama Chanrapur khata No. 1070, plot No. 2824, Kisam river an area of 20.38 decimal/ 8.247 hector. He has got approval mining plan, EC CTO. Due to rainy season the Sand lifting work has been stopped as per the 1nstruction of Thasildar Jaleswar. Basing on the opportunity the accUsed persons namely Kali Charan Das of Sana Routra Pada, Uttam Kumar Das Harekrushna Das, Balaram Rout, Ananta Rout ,Nitai Rout, Manoj Behera Narottam Das, Rajib Kumar Das, Saroj Mohanty of Rai Ramachandrapur, Abani Kumar Das of Chaubhuni , Jayakrushna Pal of Jaleswar has lifted the sand and soil with the tractor from his lease land and are selling violating the orders of the Govt. and earned more money. When he protested, the accused persons have abused him in filthy languages and threatened to kill. Hence the Case. On this report the instant case has been registered and I have entrusted for investigation.

During course of investigation I visited the spot, examined the complt. as well as other witnesses and recorded their statement U/S 161 Cr.P.C. Insp. R.K. Sethi, IIC, Jaleswar PS

N.C.R.B (एन.सा.आर.बी)
I.I.F.-V (एकीकृत जाँच फार्म -V)

supervised this case and found it to be a false case U/S 379/294/506/34 IPC against the FIR named accd. persons. Hence I submitted FCR to S.P. Balasore for orders. Accordingly order was received vide order No.16856/DCRB (Cr) dt.13.11.23.

As per the order of S.P. Balasore, I submitted F.F vide Jaleswar PS F.R. False No.453 Dt.19.11.23 U/S 379/294/506/34 IPC with a prayer to the Hon'ble court for its kind acceptance.

17. Refer Notice served (जारी किए नोटिस): No


Date(दिनांक):

(Acknowledgement to be placed)(पावती नत्थी करे):

18. Despatched on (प्रेषण की तिथि):

19. No. of enclosures (संलग्नको की संख्या):

20. List of enclosures : As annexed (संलग्नको की सूची):

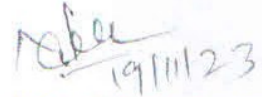

19-11-23

Forwarded by Officer in charge
(प्रभारी अधिकारी द्वारा अंग्रेषित)

Name (नाम): Ranjan Kuma Sethi

Rank (पद): I (Inspector)

No.(सं.): 76242


19/11/23

Signature of Investigating Officer submitting
final report/charge sheet

Name (नाम): NIGAMANANDA MOHALIK

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No.(सं.): 72145